

## Federal Railroad Administration, DOT

## § 231.1

- 231.19 Definition of "Right" and "Left."
- 231.20 Variation in size permitted.
- 231.21 Tank cars without underframes.
- 231.22 Operation of track motor cars.
- 231.23 Unidirectional passenger-train cars adaptable to van-type semi-trailer use.
- 231.24 Box and other house cars with roofs, 16 feet 10 inches or more above top of rail.
- 231.25 Track motorcars (self-propelled 4-wheel cars which can be removed from the rails by men).
- 231.26 Pushcars.
- 231.27 Box and other house cars without roof hatches or placed in service after October 1, 1966.
- 231.28 Box and other house cars with roof hatches built or placed in service after October 1, 1966.
- 231.29 Road locomotives with corner stairways.
- 231.30 Locomotives used in switching service.

### APPENDIX A TO PART 231—SCHEDULE OF CIVIL PENALTIES

AUTHORITY: 49 U.S.C. 20102-03, 20131, 20301-03, 21301-02, 21304; 49 CFR 1.49(c), (m).

SOURCE: 33 FR 19663, Dec. 25, 1968, unless otherwise noted.

NOTE: Where rivets or bolts are required in this part 231 a two-piece steel rivet may be used consisting of:

(a) A solid shank of one-half (1/2) inch minimum diameter steel or material of equal or greater strength having cold forged head on one end, a shank length for material thickness fastened, locking grooves, breakneck groove and pull grooves (all annular grooves) on the opposite end.

(b) A collar of similar material which is cold swaged into the locking grooves forming a head for the opposite end of item (a) after the pull groove section has been removed.

### § 231.0 Applicability and penalties.

(a) Except as provided in paragraphs (b) and (c) of this section, this part applies to all standard gage railroads.

(b) This part does not apply to:

(1) A railroad that operates only on track inside an installation which is not part of the general railroad system of transportation; or

(2) Rapid transit operations in an urban area that are not connected with the general railroad system of transportation.

(c) Except for the provisions governing uncoupling devices, this part does not apply to Tier II passenger equipment as defined in § 238.5 of this

chapter (*i.e.*, passenger equipment operating at speeds exceeding 125 mph but not exceeding 150 mph).

(d) As used in this part, *carrier* means "railroad," as that term is defined below.

(e) *Railroad* means all forms of non-highway ground transportation that run on rails or electromagnetic guideways, including (1) commuter or other short-haul rail passenger service in a metropolitan or suburban area, and (2) high speed ground transportation systems that connect metropolitan areas, without regard to whether they use new technologies not associated with traditional railroads. Such term does not include rapid transit operations within an urban area that are not connected to the general railroad system of transportation.

(f) Any person (an entity of any type covered under 1 U.S.C. 1, including but not limited to the following: a railroad; a manager, supervisor, official, or other employee or agent of a railroad; any owner, manufacturer, lessor, or lessee of railroad equipment, track, or facilities; any independent contractor providing goods or services to a railroad; and any employee of such owner, manufacturer, lessor, lessee, or independent contractor) who violates any requirement of this part or causes the violation of any such requirement is subject to a civil penalty of at least \$500 and not more than \$11,000 per violation, except that: penalties may be assessed against individuals only for willful violations, and, where a grossly negligent violation or a pattern of repeated violations has created an imminent hazard of death or injury to persons, or has caused death or injury, a penalty not to exceed \$22,000 per violation may be assessed. Each day a violation continues shall constitute a separate offense. See appendix A to this part for a statement of agency civil penalty policy.

[54 FR 33229, Aug. 14, 1989, as amended at 63 FR 11623, Mar. 10, 1998; 64 FR 25660, May 12, 1999]

### § 231.1 Box and other house cars built or placed in service before October 1, 1966.

Except for box and other house cars that comply with either § 231.27 or